IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

APPEAL NO.884 OF 2005
IN
NOTICE OF MOTION NO.2864 OF 2004
IN
SUMMARY SUIT NO.1382 OF 2002

Alfred Michael Arambhan & anr. .. Appellants
v/s.
Richard Joseph D'Souza .. Respondents

Ms.Soma Singh with Mr.B.H.Gada i/by Mr.C.R.Naidu
for the appellants.

Mr.R.J.D'Souza-respondent in person present.

CORAM : R.M.LODHA AND
D.G.KARNIK, JJ.

DATED : 29th November, 2005

P.C.

When the appeal was called out in the morning session, we wanted to know from the learned counsel for the appellants whether the appellants are now ready and willing to deposit the amount of Rs.16,50,000/- and if yes, within what time. The learned counsel for the appellants prayed for keeping the matter back. We acceded to her request and kept the matter back.

2. In the post-lunch session at 3.00 p.m., the appeal was called out. Neither the appellants nor their counsel appeared. In the circumstances, we are constrained to dismiss the appeal in default.

We order accordingly.

(R.M.LODHA, J.)

(D.G.KARNIK, J.)